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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,621	07/15/2003	Takashi Ando	240300US2	5653
22850	7590	04/16/2004		EXAMINER
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				LAM, THANH
			ART UNIT	PAPER NUMBER
			2834	

DATE MAILED: 04/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/618,621	ANDO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thanh Lam	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is **FINAL**.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-5 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-5 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \*    c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. ____ .
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date ____ .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152).
	6) <input type="checkbox"/> Other: ____ .

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 5 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 4. See MPEP § 608.01(n). Accordingly, the claim 5 not been further treated on the merits.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Kondo et al. (JP 2001-275284).

Kondo disclose a permanent-magnet type electric rotating machine comprising: a rotation axis; a rotor that rotates together with said rotation axis, said rotor having a closed-end-cup-shaped holder (21) that is mounted at one end of said rotation axis and a permanent magnet (22) fixed on an inner surface of a cylindrical portion of said holder; and a stator (13) that rotatably supports said rotation axis, said stator having a housing bush (26) that supports said rotation axis in an axis hole formed through the center thereof, stator cores (17) that are radially mounted around said housing bush to face the outer tip ends (17d) thereof to said permanent magnet with an air gap and coils (15) that are wound around said stator cores via insulators (16), wherein inner base portions of said stator cores are connected to one another with pressure so as to form a ring-shaped yoke by mounting said stator cores around said housing bush.

Regarding claim 2, Kondo et al. disclose wherein a reentrant extending in the axial direction is formed on the inner surface of each of said stator cores and external protrusions are formed around said housing bush, wherein said stator cores are fixed to said housing bush by fitting said external protrusions to said reentrants and caulking the external protrusions to cause plastic deformation.

Regarding claim 3, Kondo et al. disclose comprising a circuit board (19) that carries drive circuit for the electric rotating machine, said circuit board having a mounting hole formed thereon, wherein flat portions are formed along the inner edge of said mounting hole of said circuit board and outer surface of a circuit-board-mounting portion of said housing bush so that said circuit board is positioned and fixed to the housing bush by engaging said flat portions with each other.

Regarding claim 4, Kondo et al. disclose comprising bracket that acts as a mounting member of the electric rotating machine to fix the machine to an outside, said bracket having a mounting hole formed thereon, wherein nicks are formed along the inner edge of said mounting hole of said bracket, said nicks are outwardly extended from the inner edge, and wherein said bracket is fixed to said housing bush by bracket-mounting portion of said housing bush to cause plastic deformation so that the deformed bracket-mounting portion gets into said nicks.

Regarding claim 5, Kondo et al. disclose said housing bush is formed by die-casting (process of making no patent weight) of zinc or aluminum, or sintering molding of sintering material so that manufacturing after die-casting or molding is unnecessary.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh Lam whose telephone number is (571) 272-2026. The examiner can normally be reached on m-f 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren E Schuberg can be reached on (571) 272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Thanh Lam  
Primary Examiner  
Art Unit 2834